

REMARKS:

Claims 1-21 are pending in the application. Claims 7-8 and 16-21 were withdrawn from consideration. Claims 1, 9, and 12 are amended. Claim 11 is canceled without prejudice. The limitations of claim 11 are added to claim 9. Applicant believes the foregoing amendments comply with requirements of form and thus may be admitted under 37 C.F.R. § 1.116(a). Reexamination and reconsideration of the application, as amended, are respectfully requested.

The Examiner objected to the drawings because she appears to believe that the feature described in the claims as “spring-loaded v-shaped members” is not clearly shown in the drawing. The Examiner requested the feature to be shown or cancelled from claims 1 and 9. Applicant believes for the reasons of record that the “spring-loaded v-shaped members” are clearly shown in Figure 13. However, in an effort to expedite the prosecution of the present invention and because the “spring-loaded v-shaped members” are not necessary for the patentability of the claims, applicant deleted the feature from claims 1 and 9. Thus, applicant believes that the objection to the drawings has been overcome.

It is noted with appreciation that claims 1-6 are allowed. Applicant also thanks the Examiner for indicating that claims 11-13 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, applicant amended the base claim 9 by including all limitations of claim 11, which is now cancelled. Thus, claims 9 and its dependent claims 12 and 13 are now allowable.

CLAIM REJECTIONS UNDER 35 U.S.C § 103:

Claims 9-10 and 14-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cohen et al. - U.S. Patent No. 6,293,750 B1 (“750) in view of Anami – U.S. Patent No. 5,825,298 (“298). This rejection is respectfully traversed.

As discussed above, applicant amended claim 9 by including all limitations of allowable claim 11. Claim 11 is patentable over the cited art, thus, amended claim

9 and its dependent claims 10 and 14-15 are patentable over the cited art for at least the same reasons as claim 11. In particular, applicant believes that amended claim 9 is patentable because it requires a storage nest having a multiplicity of compartments aligned in vertical columns and horizontal rows and a pipetting nest having a multiplicity of compartments aligned in at least one horizontal row. Neither reference has a teaching of such a structure.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6700 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

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